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SPECIFIC GROUPS AND INDIVIDUALS: MINORITIES

Letter dated 28 December 1998 from the Permanent Representative of Azerbaijan to the United Nations Office at Geneva addressed to the secretariat of the fifty-fifth session of the Commission on Human Rights

I have the honour to transmit to you herewith the information on the State policy in the Republic of Azerbaijan on the protection of the rights and freedoms of persons belonging to minorities.

I would be grateful if you could circulate the present letter and the above-mentioned information as an official document of the fifty-fifth session of the Commission on Human Rights under item 14 (b) of the provisional agenda.

(Signed): Sima EIVAZOVA
Ambassador
Permanent Representative

Information on State policy in the Republic of Azerbaijan on the protection of the rights and freedoms of persons belonging to minorities

1. According to the 1989 census, 82.7 per cent of the Azerbaijani Republic's population are Azerbaijanis; 17.3 per cent is accounted for by various ethnic minorities, such as Lezgins, Avars, Talysh, Tsakhurs, Kurds, Udis, Russians, Ukrainians, Armenians, Tatars, Georgians and Belarusians.

2. From a historical point of view Azerbaijan has always been a variegated ethnic palette, and never at any time in the course of its history have any cases of religious or ethnic discord or of discrimination against minorities been recorded.

3. The Constitution of the Azerbaijani Republic, adopted in 1995, guarantees respect for human rights and freedoms regardless of ethnic origin, race, religion, language or other factors.

4. Minorities are widely represented in Azerbaijan's State organs, Parliament and the Government. In the towns, districts, villages and hamlets, where members of various minorities live cheek by jowl, representatives of the local population occupy leading positions in State organs.

5. Notwithstanding the difficulties being experienced by the country, attributable mainly to the 11-year-old armed aggression against Azerbaijan by neighbouring Armenia, which occupies 20 per cent of the territory of the Azerbaijani Republic, the presence of about 1 million refugees and displaced persons in the country, forcibly evicted from the areas where they have always lived as a result of the aggression, and also problems connected with the transitional period, the Government of Azerbaijan continues to pursue a consistent national policy.

6. One of the main features of this policy is that it supports the national languages and cultures of all minorities living in Azerbaijani territory.

7. In Azerbaijan, radio and television programmes are broadcast and books, newspapers and periodicals are published in the languages of the various minorities living in the Republic. For example, regular programmes financed from the State budget are broadcast by the State radio in Kurdish, Lezgin, Talysh, Georgian, Russian and Armenian. Local radio programmes are broadcast in Arabic in the Belokan district and in Lezgin and in Tati in the Khachmaz district. The Gusar and Khachmaz districts have a local television station whose programmes are in Lezgin. In the town of Baku over 20 newspapers and magazines are published in Russian, which is also the language used in daily radio and television broadcasts. The Russian ORT, RTR and NTV programmes are broadcast in full. There are also a number of private radio and television companies in Azerbaijan, and one of the State's television channels broadcasts a programme in English. Newspapers are published in Kurdish, Lezgin, Talysh and Georgian. These publications are subsidized by the State. Specifically, the newspaper "Talyshi syado" and the magazine "Soz" are published in Talysh, the newspapers "Samur" in Lezgin and "Dengi Kurd" in Kurdish, and the newspaper "Gusar" is published in Lezgin in the Gusar district. The newspaper "Aziz" is

published by the Azerbaijan-Israel Association, the newspaper "Vestnik" by the Azerbaijan Russian Association and the newspaper "Sodruzhestvo" by the "Sodruzhestvo Association".

8. A council was created within the Ministry of Education to prepare and publish curricula, manuals and textbooks for the teaching of minority languages. The State has financed the publication of alphabets and textbooks in Russian, Talysh, Kurdish, Lezgin, Tsakhur and Tati.

9. Areas with a high concentration of ethnic Georgians have two schools in which instruction is in three languages, namely, Azerbaijani, Georgian and Russian. The teaching of the mother tongue and of national history and culture for two hours every week has been introduced in schools situated in areas where there is a high proportion of persons belonging to various nationalities. This instruction is provided in Lezgin, Tati, Talysh and other languages.

10. An example worthy of mention is the State's approach to the language spoken by the inhabitants of the mountain village of Khynalyg. Although this language does not fall into any specific language group and that it is spoken by the people of only one village, books are published in Khynalyg and there is a "Khynalyg" cultural centre in the country. In 1997 the State financed the publication of alphabets and textbooks in Russian, Talysh, Kurdish, Lezgin, Tsakhur and Tatar.

11. Azerbaijan has cultural centres, charitable associations and other communal organizations that preserve and develop the distinctive national and cultural characteristics of persons belonging to minorities. These organizations have repeatedly received State assistance and are provided with premises free of charge. Azerbaijan's organizations and national cultural centres for minorities are as follows:

The "Mada" (Talysh) International Association

The "Avesta" (Talysh) Association

The Talysh Cultural Centre

The "Ronai" Kurdish Cultural Centre

The "Samur" Lezgin Centre

The Association of Dagestan-speaking mountain peoples of Azerbaijan

The "Dagestan" cultural centre

The Tsakhur Cultural Centre

The "Orian" Udi Cultural Centre

The Imam Shamilya Arab Association

The Lagych Charitable Association

The "Azeri" Tati Cultural Centre

The Russian Association of Azerbaijan

The Slav Cultural Centre of Azerbaijan

The "Sodruzhestvo" Association

The Tatar Association of Azerbaijan

The "Tugan Tel" Tatar Cultural Centre

The "Veten" Meskhetian Turk Association

The "Akhyska" Meskhetian Turk Cultural Centre

The "Budug" Cultural Centre

The "Shakhdag" Cultural Centre

The European Jewish Community

The Mountain Jewish Community

The Georgian Jewish Community

The "Azerbaijan-Israel" Association

The "Iudaika" International Association

The German National Cultural Association

The "Hynalyg" Cultural Centre

12. Azerbaijan has a large variety of State, departmental, trade union, private and commercial cultural establishments - about 14,000 in all. These include theatres, concert organizations and halls, museums, picture galleries and showrooms, recreation parks, clubs and leisure centres, libraries, music and art schools and fine arts schools.

13. It has 25 State theatres, over 140 museums and branches, 27 picture galleries and also 10,000 libraries with a stock of 100 million books. Over 140,000 persons are employed in 4,000 clubs comprising over 10,000 amateur theatrical, creative and fancier groups. Some 75,000 children and adolescents receive instruction in and familiarization with various aspects of culture in 270 music and art schools, as well as in fine arts schools.

14. In areas with large concentrations of persons belonging to various minorities amateur artistic groups are active in clubs, national and State theatres, fancier associations and clubs catering to specific interests. For example, the Gusar district boasts a Lezgin theatre, the Gakh district a Georgian national theatre and a national puppet theatre, the Astarin and Masallin districts have Talysh folklore groups, the Saatly district has the

"Adygyun" Turkish folklore group, and the town of Baku has its Russian State dramatic theatre, the "Tugan Tel" Tatar song and dance ensemble and the "Sudarushka" Russian ensemble.

15. Article 48 of the Republic's Constitution guarantees the right of all persons to freedom of conscience, in other words, the right freely to express their attitude to religion and individually or collectively to profess any religion or not to profess any religion, and to express and disseminate their religious convictions.

16. The Azerbaijani Republic's law on religious freedom states specifically that no advantages may be granted to or restrictions imposed on one religion or religious teaching in comparison to others.

17. Over 200 Muslim mosques, more than 50 Christian churches and communities and 5 synagogues are registered in the Republic at the present time. Religious communities, establishments and centres of the Caucasian Muslims, the Russian Orthodox church, the evangelical Christian baptist and adventist communities, the international community of Christian protestants ("Life-givirg abundance") and branches of the international Krishna and Baha'i communities are also present in Azerbaijan. In addition, there are hundreds of unofficial religious groups, of which about 60 are communities belonging to the Christian religion.

18. There are five Russian Orthodox churches, of which three are in the town of Baku, one in the town of Gyandzhe and one in the Khachmaz district of Azerbaijan. The Gakh district has four Georgian Orthodox churches and the Gabala district has two Christian churches; moreover, over 30 traditional Protestant communities (Malochites, Baptists, Fiftieth Day Protestants, Seventh-Day Adventists, Lutherans, the New Apostolic Church and others) are active in various parts of Azerbaijan. A number of these communities were registered in the first few years following the restoration of Azerbaijan's independence. Certain non-traditional Christian-Protestant communities, as well as a number of other religious groups formed by foreign missionaries, were registered a little later. These include "Living Grace" the New Apostolic Church, the German Lutheran Church, the Baku branch of the International Krishna Community, the Religious Baha'i Community and many others. A number of other Protestant and Catholic communities that arrived from America and Europe are also active in Azerbaijan.

19. Of the five synagogues in Azerbaijan, three are in the town of Baku, one in the "Krasnaya Sloboda" village in Guba district and one in the centre of Oguz district. A considerable proportion of the Jewish diaspora in Azerbaijan consists of mountain Jews whose synagogue is one of the most important in the country in terms of activities and congregation. The Jewish communities of the Guba district, European Jews, Georgian Jews and the Jews of the Oguz district are the next most important.

20. A large number of Muslim, Christian and Jewish religious educational establishments are active in Azerbaijan. These include the Baku Islamic University, a few Midrash schools, Sunday schools attached to Christian Orthodox churches, Bible courses given by Seventh-Day Adventists and the Bible

School of the International Christian Protestant Community ("Living Grace"). Moreover, in the town of Baku courses in modern Hebrew and the Jewish religion, culture and history have been introduced in secondary school No. 46.

21. The religious denominations and non-traditional religious groups in Azerbaijan engage in charitable activities, assist a wide variety of communities, provide humanitarian assistance and visit boarding schools, homes for the disabled, hospitals and places of detention, providing material and moral support.

22. The national and religious holidays of all denominations are widely observed in Azerbaijan and each year the President delivers an appropriate address on each occasion. The synagogue and Orthodox Church receive financial assistance regularly from the President's fund.

23. Despite the affirmations of the Armenian propaganda machine which, by spreading disinformation about alleged violations of the rights of persons belonging to the Armenian minority in Azerbaijan, tries to justify Armenia's armed aggression against Azerbaijan and its perpetration during that aggression of massive human rights violations, the former Nagorny Karabakh Autonomous Region (NKAR) of Azerbaijan - the majority of whose population consisted of Armenians who resettled in the territory of Azerbaijan in the first half of the nineteenth century - has acquired all the basic elements of self-government and achieved considerable progress through its social, economic and cultural development.

24. Under the Constitution of the Azerbaijani SSR, the legal status of NKAR was governed by the Law on the Nagorny Karabakh Autonomous Region which was adopted following its submission to the Council of People's Deputies of NKAR by the Supreme Soviet of Azerbaijan. NKAR, as a national territorial unit, enjoyed a form of administrative autonomy and therefore possessed a number of rights which in practice ensured that the specific requirements of its population were satisfied. In accordance with the Constitution of the former USSR, NKAR was represented by five deputies in the Council of Nationalities of the Supreme Soviet of the USSR. It was also represented in the Supreme Soviet of the Azerbaijani SSR by 12 deputies.

25. The NKAR Council of National Deputies, which was the State authority in the region, enjoyed a broad range of powers. It decided all matters of a local nature based on the interests of citizens living in the region and in the light of their national and other characteristics. The NKAR Council of People's Deputies participated in the discussion of matters relating to the Republic as a whole, presented proposals on them, implemented the decisions of higher State bodies and directed the activities of lower councils. Armenian was used in the day-to-day work of all State executive and administrative bodies, the court system and the Office of the Public Prosecutor, as well as in education, reflecting the language requirements of the population.

26. A total of 483 million roubles was earmarked for the development of NKAR during the 1971-1985 period; this was 2.8 times greater than the corresponding amount during the previous 15 years. During the past 20 years average per capita investment in NKAR has increased almost fourfold (226 roubles in 1981-1985 as against 59 roubles in 1961-1965). In the past 15 years per

capita housing construction in Azerbaijan as a whole amounted to 3.64 m^2 and 4.76 m^2 in NKAR. The number of hospital beds in NKAR per 10,000 inhabitants was 15 per cent greater than in the Republic.

27. Although NKAR was already among the foremost regions of the Republic as regards the number of pre-school establishments for children, the number of additional places in such establishments made available per 10,000 inhabitants in the region in 1971-1985 was 1.4 times the Republican average. The same is true of the number of additional places per 10,000 inhabitants made available in schools providing a general education, the figure for NKAR being 1.6 times greater than the average.

28. Prior to the Armenian Republic's aggression against the Azerbaijani Republic, during the 1988-1989 school year there were 136 secondary schools in which instruction was in Armenian (16,120 students) and 13 international schools (7,045 students) in the former Nagorny Karabakh Autonomous Region of Azerbaijan. During the same period there were a total of 181 Armenian secondary schools (20,712 students) and 29 international schools (12,766 students) in Azerbaijan.

29. In the town of Hankendi (formerly Stepanakert) over 2,130 students, for the most part Armenian, studied each year in the Armenian, Azerbaijani and Russian branches of the State Pedagogical Institute. In addition, NKAR had dozens of technical secondary schools and vocational training schools offering instruction in Armenian and Russian.

30. A characteristic feature of the social and cultural development of the Nagorny Karabakh region was the fact that the average amount of housing, goods and services available to the population was greater than that for the Republic as a whole. Per capita living space in the region was almost one-third greater than the Republic average and on average the NKAR peasant had 1.5 times more living space than a peasant in the Republic as a whole. The population of the region also had access to greater numbers of medical personnel (1.3 times more) and hospital beds (3 per cent more). Its system of cultural and educational establishments was larger (over three times more cinemas and clubs, twice as many libraries) and it had 1.6 times more books and magazines per 100,000 readers. In the schools, 7.7 per cent of the region's children studied in the second and third shifts whereas for the Republic as a whole the corresponding figure was 25 per cent; 37 per cent of children (as against 20 per cent in the Republic as a whole) were cared for in permanent pre-school establishments.

31. In point of fact NKAR was developing more rapidly than Azerbaijan as a whole. For example, during the 1970-1986 period, industrial production in the Republic increased threefold whereas in NKAR it rose 3.3 times (reflecting growth of over 8.3 per cent). In 1986 3.1 times more fixed capital assets were brought into use in NKAR than in 1970; the corresponding figure for the Republic as a whole was 2.5 times. NKAR's basic social development indicators outstripped average Republican standard of living indicators in the Azerbaijani SSR and the Armenian SSR. The development of cultural establishments in the region as well as throughout the Republic as a whole was considerable. As has been seen above, and as is confirmed by NKAR's existence

and development as part of Azerbaijan, it built up a form of autonomy that fully reflected the economic, social, cultural, national and everyday needs of the population of this autonomous region.

32. At the last OSCE Summit of Heads of State held at Lisbon, the following principles, recommended by the Co-Chairmen of the Minsk Group, were drawn up for the settlement of the armed conflict between Armenia and Azerbaijan and were supported by all States members of OSCE with the exception of Armenia:

The territorial integrity of the Republic of Armenia and the Azerbaijani Republic;

The legal status of Nagorny Karabakh as defined in the agreement, based on self-determination, and the granting to Nagorny Karabakh of the maximum degree of self-government as part of Azerbaijan; and

The guaranteed security of Nagorny Karabakh and its entire population and the mutual obligation of all parties to implement the provisions of the settlement.

33. Despite similar demands by the United Nations Security Council and other international organizations, Armenia continues to this day to retain occupied Azerbaijani territory and to build up its military potential there.